

FILED  
U. S. DISTRICT COURT  
DISTRICT OF NEBRASKA

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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA, )  
 ) 8:07CR451  
 Plaintiff, )  
 ) ORDER  
 v. )  
 )  
 MARION T. RODRIGUEZ, )  
 )  
 Defendant. )

On June 5, 2009, the defendant appeared through counsel on a motion for reduction of sentence (Filing No. 62), filed by the plaintiff pursuant to Rule 35 of the Federal Rules of Criminal Procedure. After considering the comments of the parties and after evaluating the assistance provided by the defendant, the Court finds that the plaintiff's motion for reduction of sentence should be granted. Accordingly,

IT IS ORDERED:

1. The plaintiff's motion for reduction of sentence is granted.
2. Defendant is resentenced to 31 months. Defendant is to be given credit for time previously served under the original Judgment and Committal Order (Filing No. 52), which was signed and filed on May 16, 2008.

3. All other terms and conditions of the original Judgment and Committal Order (Filing No. 52) remain in full force and effect.

Dated this 9<sup>th</sup> day of June, 2009

BY THE COURT:



LYLE E. STROM  
United States District Judge